

VZCZCXRO1265

PP RUEHDBU RUEHFL RUEHKW RUEHLA RUEHNP RUEHROV RUEHSL RUEHSR

DE RUEHTI #0065/01 0291045

ZNY CCCCC ZZH

P 291045Z JAN 10 ZDK

FM AMEMBASSY TIRANA

TO RUEHC/SECSTATE WASHDC PRIORITY 8787

INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY

RUEHNO/USMISSION USNATO PRIORITY 3609

RUEAIIA/CIA WASHDC PRIORITY

RUEHVEN/USMISSION USOSCE PRIORITY 2553

RHEFDIA/DIA WASHINGTON DC PRIORITY

RUCNDT/USMISSION USUN NEW YORK PRIORITY 0858

RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY

RUEKJCS/SECDEF WASHINGTON DC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 TIRANA 000065

SIPDIS

E.O. 12958: DECL: 01/26/2020

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [PINS](#) [PINR](#) [KJUS](#) [AL](#)

SUBJECT: PRESIDENT TOPI: PRESSURE ON INDEPENDENT  
INSTITUTIONS GROWING

Classified By: Ambassador John L. Withers, reasons 1.4 (b) and (d)

¶1. (C) During a January 27 meeting with Ambassador Withers, President Topi expressed deep concern over mounting GOA pressure on independent institutions, including Office of the Prosecutor General, the intelligence service, the media, and the courts. Topi said the opposition boycott of Parliament was holding up much-needed judicial reforms - reforms that need 84 votes to pass in the parliament. Topi also lamented the "absence of a professional political opposition" in Albania, saying that he cannot take on the role himself. Topi said his ability to mediate the ongoing political standoff between the GOA and opposition Socialist Party is limited because the ruling Democratic Party (DP) will not accept Topi as a mediator. Ambassador Withers said he shared Topi's concerns over pressure on independent institutions. He told Topi that Topi and other Albanians must stand up and speak out on Albanian democracy to a much greater extent than at present. The international community can support Albanian actions, but cannot speak on behalf of or in place of the Albanians themselves. The Ambassador also underlined the strong U.S. support for the upcoming Council of Europe effort to mediate between the GOA and SP. END SUMMARY.

Pressure on Institutions "At Maximum Level"

¶2. (C) President Topi opened the meeting by thanking the Ambassador for U.S. assistance with the floods in northern Albania. Topi said that the Ambassador's trip to survey flood damage with Topi had provided "socioeconomic assistance to the victims of the flood. The Ambassador said the U.S. would look at ways to provide further assistance if needed.

. (C) Topi said that political pressure on independent institutions "reached a maximum level," including increased pressure on the Presidency itself. Topi said he would continue to "carefully press" his message of the importance of independent institutions. Later in a quiet pull aside following the meeting, Topi urged the Ambassador to meet "one on one" with Prosecutor General Ina Rama, telling the Ambassador that "Mrs. Rama needs the support." Nevertheless, Topi said that in the absence of an active opposition, he is limited in what he can do to defend independent institutions, adding "the President cannot play the role of the opposition."

Draft Intel Law a Throwback to Hoxha Era

¶4. (C) Topi echoed the Ambassador's concerns about the draft Intelligence Law, adding and said the "reformed" intelligence

service envisioned in the draft reminded him of Albania's much feared communist-era Sigurimi. However, Topi admitted that his office has yet to receive a copy of the draft and has yet to formally review the entire law. Topi said that he had done his utmost since his election to defend the independence and professionalism of the intelligence service, and said he would insist on having a say on the draft bill.

#### Judicial Sector Reforms Stalled

-----

15. (C) Topi said that much-needed judicial sector reforms, as well as key nominations to the High Court and other courts, are being held up by the SP boycott of parliament. Topi said that because most laws affecting the judicial sector require a 3/5 majority in the parliament, passage of key reforms was impossible while the SP boycott continues. Topi added that although approval of High Court judges requires only a simple majority vote, he is reluctant to submit nominees for approval until the SP returns to parliament, as Topi wants the SP to be part of the approval process and wants to avoid the appearance of only one party approving nominees to the High Court and Constitutional Court.

16. (C) Topi agreed in principle to the Ambassador's suggestion that Topi form a bi-partisan judicial commission that would help select the most highly qualified people to fill a number of upcoming vacancies on the High Court (2 vacancies) and Constitutional Court (6 vacancies). He also agreed, albeit reluctantly, with the Ambassador's support for

TIRANA 00000065 002 OF 002

the COE proposal to facilitate discussions between the DP and SP to end the boycott, which calls for the President to mediate. He complained, however, that the DP did not want him involved, but backed off a bit when the Ambassador pointed to his constitutional role in such matters.

17. (C) COMMENT: Topi echoed many of our concerns about the Intelligence Law and independent institutions, but, as has often happened in the past, said he has little power to change the political dynamic or defend institutions against the encroachments of the PM. Nevertheless, Topi's concerns over political pressure being placed on the Prosecutor General and SHISH should not be discounted - Topi is well-connected in both institutions, and he retains considerable constitutional authority over the judicial sector, prosecutors and SHISH. Topi has in the past at times worked effectively to protect his own interests and prerogatives in the judicial sector and SHISH, although it remains to be seen whether he will be able and willing to do so this time. Topi's support for a bi-partisan commission to assist with the selection of judges is a positive sign, and one we should encourage. With so many openings on the High Court and Constitutional Court in the coming months, Topi's willingness to fight, along with a judicial commission that lends weight to the judicial selection process, could prove key in fending off any attempt by the PM to stack the two courts with cronies. As for the boycott, the EU Ambassadors will demarche Topi on January 29 with a message very similar to that of the Ambassador's.

WITHERS